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REPLY UNDER 37 C.F.R. § 1.116 – EXPEDITED PROCEDURE – TECHNOLOGY CENTER 3600

Appl. No. 10/671,373

Amdt. Dated August 9, 2004

Reply to Office Action of June 10, 2004

REMARKS

This is a full and timely response to the final Office action mailed June 10, 2004. Reexamination and reconsideration in view of the following remarks is respectfully solicited.

Claims 1-23 remain pending in this application, with Claims 1, 11, and 21 being the independent claims. No claims have been amended herein. Applicant once again gratefully acknowledges the Examiner's indication that Claims 3-5 and 13-15 are directed to allowable subject matter; however, as is discussed herein below Applicant contends that all of the pending claims are directed to allowable subject matter.

Rejections Under 35 U.S.C. § 102

Claims 1, 2, 6-12, and 16-23 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,227,485 (Porte). This rejection is respectfully traversed.

Independent Claim 1 relates to a system for moving an aircraft thrust reverser that includes a main reservoir containing a hydraulic fluid, and independent Claim 11 relates to an electro-hydraulic thrust reverser lock actuation system that includes a main reservoir containing a hydraulic fluid. Independent Claims 1 and 11 each recite, *inter alia*, a lock actuator assembly coupled to the main reservoir and adapted to receive a lock control signal, the lock actuator assembly responsive to the lock control signal to compress, and thereby pressurize, the hydraulic fluid.

Independent Claim 21 relates to a method of controlling the locks in an aircraft thrust reverser system that a reservoir containing hydraulic fluid therein, an actuator assembly coupled to the reservoir, and one or more hydraulic locks in fluid communication with the reservoir, and recites, *inter alia*, energizing the actuator assembly to thereby translate at least a portion thereof in a first direction; pressurizing a hydraulic fluid in response to the translation of the actuator assembly in the first direction; and moving the locks to one of a locked or an unlocked position in response to the hydraulic fluid pressurization.

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Porte relates to a system for operating adjacent nacelle covers and discloses that the nacelle covers are opened using actuators (35). The actuators (35) are hydraulically-operated via a hydraulic pump (61) that is powered by an electric motor (60). The hydraulic pump draws hydraulic fluid from a non-pressurized reservoir (62), and supplies the fluid to the actuators (35) via electrically actuated hydraulic valves (63, 64) (col. 4, l. 65 through col. 5, l. 15; FIGS. 11 and 13). The only locks that are even remotely alluded to in Porte are those (13) disposed on the bottom edges of the turbine covers (4) (col. 3, l. 6-15; FIGS. 2 and 4), and these locks are not disclosed as being hydraulically-operated via the lock actuator assembly recited in independent Claims 1 and 11.

Nonetheless, on page 2 of the instant Office action, it is apparently alleged that the supply valve (63), hydraulic pump (61), and actuator (35) together anticipate at least portions of the independent claims. Moreover, on page 3 of the instant Office action, it is alleged that the actuator (35) corresponds to both the lock actuator assembly and the one or more lock assemblies recited in the independent claims. However, nowhere does Porte disclose, or even remotely suggest, that the actuator (35) is adapted to receive a lock control signal, nor that the actuator (35) is responsive to the lock control signal to compress, and thereby pressurize, the hydraulic fluid, as recited in independent Claims 1 and 11.

As was noted in Applicant's previous response, a claim can only be anticipated if each and every element recited in the claim is disclosed in a reference, either explicitly or impliedly. Verdegaal Bros. v. Union Oil Co. of Calif., 814 F.2d 628, 631 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, although it is not an *ipsissimis verbis* requirement, the elements recited in the claim must be arranged as required by the claim. In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990) (emphasis added). Since Porte fails to disclose, either explicitly or inherently, at least the above-noted features and arrangements of independent Claims 1, 11, and 21, it is not an anticipatory reference, and reconsideration and withdrawal of the § 102(b) rejection is therefore solicited.

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Rejections Under 35 U.S.C. § 103

Claims 6 and 16 were rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Porte and U.S. Patent No. 4,399,966 (Crudden et al.). This rejection is respectfully traversed.

Crudden et al. relates to a system for raising and lowering engine cowls to allow access to the engine for maintenance. However, Crudden et al. is not understood to make up for at least the above-noted deficiencies of Porte that are recited in the independent claims.

Hence, reconsideration and withdrawal of the § 103 rejection is respectfully solicited.

Conclusion

Based on the above, independent Claims 1, 11, and 21 are patentable over the citations of record. The dependent claims are also submitted to be patentable for the reasons given above with respect to the independent claims and because each recite features which are patentable in its own right. Individual consideration of the dependent claims is respectfully solicited.

The other art of record is also not understood to disclose or suggest the inventive concept of the present invention as defined by the claims.

Hence, Applicant submits that the present application is in condition for allowance. Favorable reconsideration and withdrawal of the objections and rejections set forth in the above-noted Office action, and an early Notice of Allowance are requested.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

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If for some reason Applicant has not paid a sufficient fee for this response, please consider this as authorization to charge Ingrassia, Fisher & Lorenz, Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

INGRASSIA FISHER & LORENZ

Dated: August 9, 2004

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